


**Leslie E. Fourton**  
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February 23, 2021

It is hereby ORDERED that Defendant's request is GRANTED. Defendant shall have until March 25, 2021 to answer or otherwise respond to the Complaint.

SO ORDERED.

Date: February 23, 2021  
New York, New York

  
JOHN P. CRONAN  
United States District Judge

The Honorable John P. Cronan  
United States District Judge for  
the Southern District of New York  
500 Pearl Street, Room 1320  
New York, N.Y. 10007

Dear Judge Cronan: **21cv544**

Respectfully, I am writing to you regarding Case Number 21-cv-00544-JPC as

Defendant Apke Ecommerce Holdings LLC requests (i.e., moves) to extend its time to answer or otherwise respond to the Complaint as the parties have agreed to this extension; that is, to file the answer or response, to be due on or before March 25, 2021, and in support states as follows:

1. On February 22, 2021, the firm of 360 Business Law America was retained by Daniel Apke, representative of Defendant Apke eCommerce Holdings, LLC, to represent Defendant Apke eCommerce Holdings, LLC in this litigation.
2. Defendant Apke eCommerce Holdings, LLC is an Ohio based Business Corporation and is principally located in Cincinnati, Ohio. Counsel for Apke eCommerce Holdings, LLC has not yet had significant opportunity to obtain necessary information about Defendant and learn about the facts of this case, through it is making efforts to do so.

3. Prior to filing this Motion, and in accordance with Rule 6, Defendant Apke eCommerce Holdings, LLC's counsel requested the consent of Plaintiff's counsel to the extension of March 25, 2021, and counsel for Plaintiff has consented to this extension.
4. No Scheduling Order has yet been entered by this Court. Granting this Motion for Extension of Time will not alter or impact the Court's trial calendar and will not prejudice Plaintiff.
5. Upon information and belief, Defendant has valid defenses, as to the merits of this dispute, and thus Defendant's opportunity to present these defenses may be prejudiced in the absence of the extension of time herein requested. There is a good cause to grant Defendant the extension of time.
6. Defendant has not answered or otherwise responded and reserve all rights, defenses, and objections available to the Federal Rules of Civil Procedure and applicable law.
7. For these reasons, Defendant requests an extension of Defendant's time to file its answer or other response to Plaintiff's Complaint and the parties have agreed to this extension, such that Defendant's answer or other response shall be due on or before March 25, 2021.

In summary, Defendant requests that the Court grant this request for Extension of Time to Answer or Respond and enter the attached form of Order.

Respectfully submitted,

*/s/ Leslie E. Fourton*

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*Attorney for* Apke eCommerce Holdings, LLC

**CERTIFICATE OF SERVICE**

The undersigned does hereby certify that a true and correct copy of this *Defendants' Certificate of Interested Persons – Motion For Extension Of Time To Answer Or Respond* was duly served upon Joseph H. Mizrahi COHEN & MIZRAHI LLP, 300 Cadman Plaza West, 12<sup>th</sup> Fl., Brooklyn, New York 11201, via ECF, this 23rd day of March 23, 2020.

/s/ Leslie E. Fourton

Leslie E. Fourton